IN THE HIGH OCURT OF UTTARANCHAL AT NAINITAL

W.P. No. 952 of 2004 (M/B)

Sharif Ahmed Malik,
S/o Khalil Ahmad,
R/o B-117, Awas Vikas, Kichha,
P.O. Kichha, Tehsil Kichha,
District Udham Singh Nagar. …… Petitioner

Versus

State of Uttaranchal through Secretary,
Revenue & Finance,
Dehradun, Uttaranchal,
& others. …… Respondents

Mr. S.K. Mandal, learned counsel for the petitioner.
Mr. Sandeep Tandon, learned counsel for respondent No. 3.
Mr. K.P. Upadhyaya, learned Brief Holder for the State.

Hon. V.S. Sirpurkar, C.J.
Hon. Irshad Hussain, J.

1. Heard learned counsel for the parties.

2. Learned counsel for the petitioner says that this writ petition is squarely covered by the judgment of this Court dated 5.12.2003 in writ petition No. 593 (M/B) of 2003 and also by the judgment of the Allahabad High Court in the case of Tajveer Singh Vs State of U.P. reported in 1997(29) ALR 68, in which it has been held that the petitioner was liable to pay fixed stamp duty at the rate of Rs. 100/- only and not the stamp duty calculated on ad valorem basis. Learned counsel for the other side has no objection to this statement.

3. In that view, this writ petition is also disposed of accordingly.

(Irshad Hussain, J.) **(V.S. Sirpurkar, C.J.)**
28.09.2004 **28.09.2004**

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